

UNITED STATES DISTRICT COURT

CIVIL ACTION NUMBER(S):
FILED 11348-NG
USDC 0511603-NG
U.S. DISTRICT COURT
DISTRICT OF MASS.

JOSEPH P. SCHMITT, Pro se.,
Plaintiff,

v.
ROBERT MURPHY, et al.,
Defendants.

2007 APR 23 P 12:29

PRO SE PLAINTIFF'S MOTION FOR COURT TO RULE ON
PREVIOUSLY SUBMITTED MOTION ENTITLED, PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT

Now comes the pro se Plaintiff and moves this Honorable Court for a ruling on his previously filed motion for summary judgment dated January 18, 2007 and served upon counsel of record, Brendan J. Frigault, for the defendants on January 18, 2007.

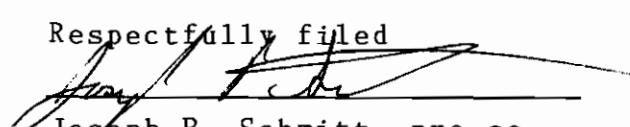
As grounds thereof, Plaintiff states the following.

1. All defendants in this action have been lawfully served by the United States Marshal, see case file/docket sheet,
2. As of the present day and time, no response has been served upon the plaintiff regarding his complaint(s). Defendants have clearly deliberately refused to comply with the rules of federal civil procedure by refusing to give a responsive pleading to plaintiff,
3. As certified in previous filings with this Court, the pro se Plaintiff has complied with rules of Federal civil procedure by giving clear notice of intent to defendants on January 18, 2007,

WHEREFORE, the pro se plaintiff prays this Honorable Court grant summary judgment to plaintiff as described in his previously filed motion, and further orders the defendants to give a responsive pleading upon all remaining issues of the above captioned actions within ten days or face ruling in favor of plaintiff on all counts.

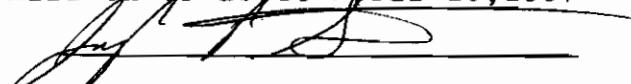
Dated: April 19, 2007

Respectfully filed


Joseph P. Schmitt, pro se
30 Administration Road
Bridgewater, Massachusetts
02324-3230

CERTIFICATE OF SERVICE

A true copy of the above was served upon Brendan J. Frigault via institutional/1st Class U.S. Mail on or about April 20, 2007


Joseph P. Schmitt, pro se